

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISION**

DALE MICHAEL, *et al.*, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

INDIANA PACKERS CORPORATION,

Defendant.

CIVIL ACTION NO.: 4:08-cv-00013-AS-APR

JOINT REPORT REGARDING STATUS OF SETTLEMENT DISCUSSIONS

Plaintiffs (including for purposes of this Joint Report, the individuals who have filed Opt-In Consent Forms as of April 22, 2009) and Defendant Indiana Packers Corporation (“Defendant”), by and through their undersigned counsel, (collectively referred to for purposes of this Joint Report as the “Parties”), hereby provide the following Joint Report in compliance with the Court’s April 27, 2009, Order, and state as follows:

1. The Parties continue to be interested in exploring settlement.
2. The Parties have attempted to resolve the matter privately over the last 60 days, but believe that they will need the assistance of a mediator to facilitate further settlement negotiations.
3. Accordingly, as of today, the Parties have selected either Michael Loeb or Deborah Gage Haude (both of JAMS), to serve as the mediator in this case and are in the process of discussing and agreeing on a mutually agreeable date for the mediation conference.

4. The Parties agree that between now and the time-period of the anticipated mediation session that they will continue to work toward resolving this matter among themselves and will continue their efforts to resolve this matter independent of the mediator, if possible.

5. The Parties agree to file another Joint Report with the Court concerning the status of the mediation within 30 days.

Respectfully,

s/ Shanon J. Carson

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Respectfully,

s/ Richard P. Winegardner

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